

**UNITED STATES OF AMERICA**  
**JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

**CHAIRMAN:**

Judge Wm. Terrell Hodges  
United States District Court  
Middle District of Florida

**MEMBERS:**

Judge John P. Keenan  
United States District Court  
Southern District of New York

Judge Bruce M. Selya  
United States Court of Appeals  
First Circuit

Judge D. Lowell Jensen  
United States District Court  
Northern District of California

Judge J. Frederick Motz  
United States District Court  
District of Maryland

Judge Robert L. Miller, Jr.  
United States District Court  
Northern District of Indiana

Judge Kathryn H. Vratil  
United States District Court  
District of Kansas

**DIRECT REPLY TO:**

Michael J. Beck  
Clerk of the Panel  
One Columbus Circle, NE  
Thurgood Marshall Federal  
Judiciary Building  
Room G-255, North Lobby  
Washington, D.C. 20002

Telephone: [202] 502-2800  
Fax: [202] 502-2888

<http://www.jpml.uscourts.gov>

June 14, 2004

Robert C. Heinemann, Clerk  
United States Courthouse  
225 Cadman Plaza East  
Brooklyn, NY 11201

Re: MDL-381 -- In re "Agent Orange" Products Liability Litigation

*Wilmer Plowden, Jr. v. Dow Chemical Co., et al.*, W.D. Louisiana, C.A. No. 6:04-649  
*Frank S. Cirino, et al. v. Dow Chemical Co., et al.*, N.D. Ohio, C.A. No. 1:04-599

Dear Mr. Heinemann:

I am enclosing one certified copy and additional copies of a conditional transfer order filed by the Panel in the above-captioned actions on May 26, 2004. The Panel's governing statute, 28 U.S.C. §1407, requires that the transferee clerk "...transmit a certified copy of the Panel's order to transfer to the clerk of the district court from which the action is being transferred." As stipulated in Rule 7.4(a) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435 (2001), transmittal of the order has been stayed 15 days to give any party an opportunity to oppose the transfer if they wish to do so. The 15-day period has now elapsed, no opposition was received, and the order is directed to you for filing.

A list of involved counsel is attached.

Very truly,

Michael J. Beck  
Clerk of the Panel

By

*Cayman Lee*  
Deputy Clerk

**Attachments**

cc: Transferee Judge: Judge Jack B. Weinstein  
Transferor Judges: Judge Richard T. Haik, Sr.; Judge Solomon Oliver, Jr.  
Transferor Clerks: Geri M. Smith; Robert H. Shemwell

**A CERTIFIED TRUE COPY**

JUN 14 2004

ATTEST  
FOR THE JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

MAY 26 2004

FILED  
CLERK'S OFFICE

**DOCKET NO. 381**

**JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

**IN RE "AGENT ORANGE" PRODUCTS LIABILITY LITIGATION**

*Wilmer Plowden, Jr. v. Dow Chemical Co., et al., W.D. Louisiana, C.A. No. 6:04-649*  
*Frank S. Cirino, et al. v. Dow Chemical Co., et al., N.D. Ohio, C.A. No. 1:04-599*

**CONDITIONAL TRANSFER ORDER**

On May 8, 1979, the Panel transferred seven civil actions to the United States District Court for the Eastern District of New York for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. Since that time, 586 additional actions have been transferred to the Eastern District of New York. With the consent of that court, all such actions have been assigned to the Honorable Jack B. Weinstein.

It appears that the actions on this conditional transfer order involve questions of fact which are common to the actions previously transferred to the Eastern District of New York and assigned to Judge Weinstein.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Eastern District of New York for the reasons stated in the order of May 8, 1979, and, with the consent of that court, assigned to the Honorable Jack B. Weinstein.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of New York. The transmittal of this order to said Clerk shall be stayed fifteen (15) days from the entry thereof and if any party files a notice of opposition with the Clerk of the Panel within this fifteen (15) day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

*Michael J. Beck*

Michael J. Beck  
Clerk of the Panel

Inasmuch as no objection is  
pending at this time, the  
stay is lifted.

JUN 14 2004

CLERK'S OFFICE  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

INVOLVED COUNSEL LIST

DOCKET NO. 381

IN RE "AGENT ORANGE" PRODUCTS LIABILITY LITIGATION

*Wilmer Plowden, Jr. v. Dow Chemical Co., et al.*, W.D. Louisiana, C.A. No. 6:04-649

*Frank S. Cirino, et al. v. Dow Chemical Co., et al.*, N.D. Ohio, C.A. No. 1:04-599

Steven D. Brock  
Rivkin, Radler & Kremer  
EAB Plaza  
9th Floor  
Uniondale, NY 11556-0111

Joseph A. Castrodale  
Calfree Halter & Griswold  
1400 McDonald Investment Center  
800 Superior Ave  
Cleveland, OH 44114-2688

Lawrence T. D'Aloise, Jr.  
Clark, Gagliardi & Miller, P.C.  
99 Court Street  
White Plains, NY 10601

Bernard F. Duhon  
P.O. Box 1169  
Abbeville, LA 70511-1169

Paul W. Flowers  
1200 Illuminating Bldg.  
55 Public Square  
Cleveland, OH 44113-1937

Michael M. Gordon  
Cadwalder, Wickersham & Taft  
100 Maiden Lane  
New York, NY 10038

Andrew Kalish  
Socha, Perczak & Anderson, PC  
1775 Sherman Street  
#1925  
Denver, CO 80203

Myron Kalish  
Parker Duryee Rosoff & Haft  
50 East 79th Street  
New York, NY 10021-0232

John H. Pucheu  
Pucheu & Pucheu  
P.O. Box 1109  
Eunice, LA 70535

John C. Sabotta  
Seyfarth, Shaw, Fairweather & Geraldson  
1270 Avenue of the Americas  
Suite 2500  
New York, NY 10022-4728

Morton B. Silberman  
Clark, Gagliardi & Miller, P.C.  
99 Court Street  
Inns of Court Building  
White Plains, NY 10601

James E. Tyrrell  
Latham & Watkins  
One Newark Center  
16th Floor  
Newark, NJ 07101-3174

Carl J. Zaffiro  
5555 Mayfield Road  
Cleveland, OH 44124-0001